MULTIMEDIA UNIVERSITY

STUDENT ID NO

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# MULTIMEDIA UNIVERSITY

# FINAL EXAMINATION

**TRIMESTER 3, 2018/2019**

## UHL2612 – HUMAN RIGHTS LAW

(All Sections / Groups)

29 MAY 2019

Reading Time : 9.00am – 9.15am
(15 Minutes)
Answering Time: 9.15am -12.15pm
(3 Hours)

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**INSTRUCTIONS TO STUDENT**

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes ONLY in their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.

2. This Question paper consists of 2 pages with 5 Questions only.

3. You are required to answer ONE QUESTION in Part A and answer ALL QUESTIONS in Part B. All questions carry equal marks and the distribution of the marks for each question is given.

4. Students are not allowed to bring in any statute into the Examination Hall.

5. Please write all your answers in the Answer Booklet provided.

## PART A (ANSWER ONE QUESTION)

### QUESTION 1

Should Malaysia ratify the International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR)?

Support your answer by making reference to the objectives and features of ICCPR and ICESCR.

(Total: 25 marks)

### QUESTION 2

Analyse the limitations of the Fundamental Liberties under Part Two (Articles 5 to 13) of the Federal Constitution in Malaysia.

(Total: 25 marks)

## PART B (ANSWER ALL QUESTIONS)

### QUESTION 3

> "The Malaysian government was accused on Wednesday of a "shocking" U-turn on plans to abolish capital punishment after a senior official said only the mandatory death penalty would be axed. A reformist alliance which stormed to power last year announced in October that it had decided to scrap capital punishment entirely, a move that would have handed a reprieve to more than 1,200 people on death row. Executions are currently mandatory for murder, kidnapping, possession of firearms and drug trafficking, among other crimes.
>
> The decision to axe capital punishment, carried out by hanging in Malaysia, had however sparked opposition from murder victims' families and opposition politicians. Deputy Minister in the Prime Minister's Department, Mohamed Hanipa Maidin, told parliament about the change of plan."
>
> (Source: NEW STRAITS TIMES, March 2019)

**Continued...**

Analyse the rights against torture under International laws and compare the rights against torture in other countries to Malaysia.

(Total: 25 marks)

## QUESTION 4

> "Approximately 200,000 Rohingya Muslims are currently trapped in what can only be described as a "genocide zone" in the northernmost part of Rakhine State, located on the Myanmar side of the border which the Buddhist majority country shares with Bangladesh. If they flee towards Bangladesh, they risk exposure to internationally banned anti-personnel landmines which the Myanmar military has planted along a narrow stretch of territory forming part of the northwestern border of Rakhine State. If they flee towards the south, they are picked off by the same Myanmar soldiers that carried out what the United Nations determined to be "textbook ethnic cleansing" against them during 2017-2018. If they remain where they are, they live under the ever-present threat of being shelled and bombed by Myanmar warplanes, artillery and helicopter gunships, which are carrying out sorties in increasing frequency and ferocity
>
> (CJ WARLEMAN, 2019)

Analyse the elements, stages and impact of genocide by making reference to International treaties and examples of genocide from around the world.

(Total: 25 marks)

## QUESTION 5

> "A new law which comes into effect from next week will punish homosexual sex and adultery with death in the small southeast Asian kingdom of Brunei. Beginning on April 3, any individuals found guilty of the offences will be stoned to death, according to a new penal code."
>
> (CNN NEWS, March 2019)

Analyse the above in light of the Universalist and Relativist debate.

(Total: 25 marks)

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